



JON M. HUNTSMAN, JR.
Governor
GARY R. HERBERT
Lieutenant Governor

State of Utah
DEPARTMENT OF NATURAL RESOURCES
Division of Water Rights

MICHAEL R. STYLER
Executive Director

JERRY D. OLDS
State Engineer/Division Director

May 12, 2006

FLOYD YARDLEY & DALE GUBLER
EMERSON DITCH DIVERSION
P O BOX 107
BEAVER UT 84713-0107

**RE: SEAA 1111 EMERSON DITCH
CONTROL DEVICE AND MEASUREING DEVICE NOTICE
Completion Record as of April 24, 2006**

TO: FLOYD YARDLEY AND DALE GUBLER

On March 24, 2006, the State Engineer initiated the referenced agency action and sent you a notice of the statutory requirement to install and maintain a functional headgate control and measuring device on the Emerson Ditch. That notice required installation of a control device prior to April 24, 2006.

Subsequently on April 25, 2006, an inspection by representatives from the State Engineers' office was conducted of the installation and repairs made for this diversion. It was observed that sandbags had been placed around the headgate/diversion structure and a 1 foot Parshall flume located a short way downstream of the headgate was operating properly. Since these devices have been installed as required, the subject agency action on this matter can be formally concluded. Your efforts to comply with the order and fixing the devices are commended and appreciated. Observing the age of the sandbags, we would assume that these repairs were already completed before the initial SEAA letter was sent on this subject.

Please be aware that continued maintenance of the installed structures remains your responsibility. You should consult regularly with Ron Roberts, the Beaver Water Commissioner, to assure these devices continue to operate to his satisfaction.

Thank you for your cooperation in attending to this matter in a timely manner. If you have any questions concerning this notice, please contact Mike Silva by phone at 801-538-7430 or by email at MikeSilva@Utah.Gov or Kurt Vest, acting Regional Engineer, by phone at 435-586-4231 or by e-mail at KurtVest@utah.gov.

Sincerely,



Mike Silva

Distribution Engineer

pc: Kurt Vest, P.E. / Regional Engineer
Ron Roberts / Water Commissioner / PO BOX 605 / BEAVER UT 84713

File: SEAA 1111

**PHOTO 1:
EMERSON DITCH, DIVERSION STRUCTURE REPAIR**



**PHOTO 2:
EMERSON DITCH FLUME**

